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| EXAMINER | | | | |
| NGUYEN, HAU H | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2628 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

09/639,196

Applicant(s)

PALIN, ARTO

Examiner

HAU H. NGUYEN

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 43-47, 49-52 and 54-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 43-47, 49-52 and 54-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
Paper No(s)/Mail Date: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/30/2008 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 54-56 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The subject matter in claims 54-56, i.e. "article of manufacture comprising a computer readable medium..." was not described in the specification.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 43-47, 49-52, 54-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harrison et al. (U.S. Patent No. 6,064,420, "Harrison", hereinafter) in view of Lappington et al. (U.S. Patent No. 5,734,413, "Lappington", hereinafter).

As per claim 43, as shown in Figs. 9A-9D, Harrison teaches *an apparatus comprising:*

a processor (item 38, Fig. 9A);

a memory coupled to the processor and configured for storing data provided by the processor (memory 40);

a splitting application configured to split received data including at least first image information and second image information into at least two data parts, wherein the first image information and the second image information are for displaying at least two substantially different images (see Fig. 8, col. 11, lines 43-64, splitting image data for associated recipients (display devices), where the spilt portions of the received image are different, such as two different game scenes, see col. 5, lines 12-18); and

a wireless short-range transmitter (102, Fig. 9A) coupled to the processor and configured to transmit at least one of the at least two data parts wirelessly to an external display device for displaying images corresponding to at least the first image information (col. 11, lines 50-64); and

a display coupled to the processor and configured for receiving at least one data part not transmitted by the wireless short-range transmitter and displaying images corresponding to at least the second image information (please refer again to Fig. 9A, for example, primary display 42 coupled to the processor 38 to render the primary data for displaying on the primary display 42, and transmit the associated data to a hand held device 200),

wherein the images displayed on the external display device and the display coupled to the processor are substantially different (as cited above, different recipients receive different game information). (It should be noted that in rendering the claim limitations, the examiner not only relies on the cited passages, but also in association with the whole disclosure).

Harrison fails to explicitly teach the splitting application to split the received data...based on headers in the received data. However, Harrison does teach the associated data protocol manager 60 looks for the first recipient identification (party-id) upon receiving data, and provide the received data to the target device (see col. 12, lines 13-54). Therefore, it would have been obvious to one skilled in the art to include the party-id into the received stream encoded as shown in Fig. 2, as a header in the stream such as one disclosed in the Lappington. Lappington teaches a method of splitting data to a TV 30 and a handheld device 32 as shown in Fig. 1, wherein the received data structure includes a header 324 (Fig. 8) comprising information of the destination device to which the received data provided to (col. 17, line 52 to col. 8, line 4).

Therefore it would have been obvious to utilize the method of including the headers indicating the targeted device in the data stream as taught by Lappington in combination with the method of splitting the data stream as taught by Harrison in order to determine and provide the data to the desired target device at the time of receiving data.

As per claim 44, Harrison further teaches *a receiver for receiving a signal comprising data including at least the first image information and the second image information* (as cited above, the receiver 36 receives media data comprising primary data (for display 42) and associated data (for hand held display device) (see also abstract, and col. 4, lines 1-12).

As per claim 45, Harrison further teaches *the receiver is a wide-area network receiver* (see col. 6, lines 51-55).

As per claim 46, Harrison teaches *the memory comprises a buffer adapted to buffer the received signal to provide time for the splitting application to split the received data into the at least two parts* (see Fig. 13, col. 12, lines 30-54).

As per claim 47, *the processor is configured to forward to the display coupled to the processor the at least one part of the received data that is not transmitted to the external display device* (see Fig. 9A, the primary data not transmitted to the hand held device 200 is forwarded to the primary data display 42).

As per claim 49, as cited above with reference to claim 43, Harrison teaches *a method comprising:*

obtaining data, including at least first image information and second image information, in frames (received data includes primary data stream and associated data stream, see col. 4, lines 40-58);

splitting the obtained data into at least two data parts, wherein the first image information and the second image information are for displaying at least two substantially different images (as cited above, see Fig. 8, col. 11, lines 43-54, splitting the received data into the primary data and associated data, where primary data and the associated data are substantially differ, such as different game scenes, col. 5, lines 12-18); *and*

transmitting at least one of the at least two data parts wirelessly to an external display device for displaying images corresponding to at least the first image information (Fig. 9A, transmitting associated data to a hand held display device 200, see col. 11, lines 55-64),

wherein a coupled display is configured to receive at least one data part not transmitted wirelessly and display images corresponding to at least the second image information (primary data display 42 displaying primary data, which is not transmitted), and

wherein the images displayed on the external display device (displaying associated data on the hand held device 200, see col. 12, line 66 to col. 13, line 11) and the coupled display are substantially different (as cited above).

Harrison fails to explicitly teach the splitting application to split the received data...based on headers in the received data. However, Harrison does teach the associated data protocol manager 60 looks for the first recipient identification (party-id) upon receiving data, and provide the received data to the target device (see col. 12, lines 13-54). Therefore, it would have been obvious to one skilled in the art to include the party-id into the received stream encoded as shown in Fig. 2, as a header in the stream such as one disclosed in the Lappington. Lappington teaches a method of splitting data to a TV 30 and a handheld device 32 as shown in Fig. 1, wherein the received data structure includes a header 324 (Fig. 8) comprising information of the destination device to which the received data provided to (col. 17, line 52 to col. 8, line 4).

Therefore it would have been obvious to utilize the method of including the headers indicating the targeted device in the data stream as taught by Lappington in combination with the method of splitting the data stream as taught by Harrison in order to determine and provide the data to the desired target device at the time of receiving data.

As per claim 50, Harrison teaches *the obtained data is received from a receiver (such as receiver 36, Fig. 9A).*

As per claim 51, as cited above with reference to Fig. 13, Harrison further teaches *buffering a received signal to provide time for a splitting application in a computer to split obtained data into the at least two parts.*

Harrison does not explicitly teach the computer, which receives and splits data into at least two parts, is a mobile terminal. However, it is well known in the art that a computer can be a mobile terminal, such as a laptop. Therefore, it would have been obvious to one skilled in the art to modify the computer system into a mobile terminal in order to obtain a more compact computing system.

As per claim 52, as cited above, Harrison teaches *forwarding to a display of a computer 35 (Fig. 9A) a part of the split data that is not transmitted to the external display device (i.e. forwarding primary data to the display 42).*

Harrison does not explicitly teach the computer, which receives and splits data into at least two parts, is a mobile terminal. However, it is well known in the art that a computer can be a mobile terminal, such as a laptop. Therefore, it would have been obvious to one skilled in the art to modify the computer system into a mobile terminal in order to obtain a more compact computing system.

As per claim 54, with reference to claims 43 and 49, Harrison teaches *an article of manufacture comprising a computer readable medium containing computer readable code, which when executed by a processor causes the processor to split data, including at least first image information and second image information, obtained by a computer into at least two data parts, wherein the first image information and the second image information are for displaying at least two substantially different images and transmit at least one of the at least two data parts*

wirelessly to an external display device for displaying images corresponding to at least the first image information,

wherein a coupled display is configured to receive at least one data part not transmitted wirelessly and display images corresponding to at least the second image information, and wherein the images displayed on the external display device and the coupled display are substantially different. Harrison does not explicitly teach the computer, which receives and splits data into at least two parts, is a mobile terminal. However, it is well known in the art that a computer can be a mobile terminal, such as a laptop. Therefore, it would have been obvious to one skilled in the art to modify the computer system into a mobile terminal in order to obtain a more compact computing system.

Harrison also fails to explicitly teach the splitting application to split the received data...based on headers in the received data. However, Harrison does teach the associated data protocol manager 60 looks for the first recipient identification (party-id) upon receiving data, and provide the received data to the target device (see col. 12, lines 13-54). Therefore, it would have been obvious to one skilled in the art to include the party-id into the received stream encoded as shown in Fig. 2, as a header in the stream such as one disclosed in the Lappington. Lappington teaches a method of splitting data to a TV 30 and a handheld device 32 as shown in Fig. 1, wherein the received data structure includes a header 324 (Fig. 8) comprising information of the destination device to which the received data provided to (col. 17, line 52 to col. 8, line 4).

Therefore it would have been obvious to utilize the method of including the headers indicating the targeted device in the data stream as taught by Lappington in combination with the

method of splitting the data stream as taught by Harrison in order to determine and provide the data to the desired target device at the time of receiving data.

Claim 55, which is similar in scope to claim 50, is thus rejected under the same rationale.

Claim 56, which is similar in scope to claim 51, is thus rejected under the same rationale.

As per claim 57, as cited above with reference to claim 43 and 54, Harrison teaches *a system comprising:*

a computer 35 and an external display device, wherein the computer comprises a processor 38;

a memory coupled to the processor and configured for storing data provided by the processor 40;

a splitting application configured to split received data including at least first image information and second image information into at least two data parts, wherein the first image information and the second image information are for displaying at least two substantially different images; and

a wireless short-range transmitter coupled to the processor and configured to transmit at least one of the at least two data parts wirelessly to an external display device for displaying images corresponding to at least the first image information (col. 11, lines 43-64); and

a display coupled to the processor and configured for receiving at least one data part not transmitted by the wireless short-range transmitter and displaying images corresponding to at least the second image information, wherein the images displayed on the external display device and the display coupled to the processor are substantially different (as cited above).

Harrison does not explicitly teach the computer, which receives and splits data into at least two parts, is a mobile terminal. However, it is well known in the art that a computer can be a mobile terminal, such as a laptop. Therefore, it would have been obvious to one skilled in the art to modify the computer system into a mobile terminal in order to obtain a more compact computing system.

Harrison also fails to explicitly teach the splitting application to split the received data...based on headers in the received data. However, Harrison does teach the associated data protocol manager 60 looks for the first recipient identification (party-id) upon receiving data, and provide the received data to the target device (see col. 12, lines 13-54). Therefore, it would have been obvious to one skilled in the art to include the party-id into the received stream encoded as shown in Fig. 2, as a header in the stream such as one disclosed in the Lappington. Lappington teaches a method of splitting data to a TV 30 and a handheld device 32 as shown in Fig. 1, wherein the received data structure includes a header 324 (Fig. 8) comprising information of the destination device to which the received data provided to (col. 17, line 52 to col. 8, line 4).

Therefore it would have been obvious to utilize the method of including the headers indicating the targeted device in the data stream as taught by Lappington in combination with the method of splitting the data stream as taught by Harrison in order to determine and provide the data to the desired target device at the time of receiving data.

As per claim 58, as cited above, Harrison teaches *a receiver for receiving a signal comprising data including at least the first image information and the second image information* (receive 36, Fig. 9a, to receive the primary data and associated data).

Claim 59, which is similar in scope to claim 45, is thus rejected under the same rationale.

Claim 60, which is similar in scope to claim 51, is thus rejected under the same rationale.

Claim 61, which is similar in scope to claim 52, is thus rejected under the same rationale.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hau H. Nguyen whose telephone number is: 571-272-7787. The examiner can normally be reached on MON-FRI from 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794.

The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Hau H Nguyen/

Primary Examiner, Art Unit 2628